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Applicant(s):	Hernandez	
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Art Unit:	1772	
Examiner:	William P. Watkins III	
Title:	GLASS FORMING TUBE AND GLASS CAKE AND METHOD INCORPORATING SAME	

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REPLY BRIEF UNDER 37 CFR § 41.41

This Reply Brief is responsive to the Examiner's Answer mailed on August 21, 2006.

The Examiner's Answer at page 5, section (10), asserts that while McClellan states it is conventional to use a silicone release coating on a paperboard forming tube, "Claim 1 of McClellan is broader in that it requires an agent that will aide in release of the wound glass fiber, but it is not limited to a silicone compound." Applicant submits this is irrelevant to the important issue, which is whether a person of ordinary skill in the art would have omitted a release coating altogether based on the teachings of McClellan, Von Hoessle et al., and Pauley et al. If anything, Claim 1 of McClellan reinforces the fact that a release coating is essential. Furthermore, McClellan never mentions any other release coating except a silicone material.

Next, at page 6 of the Examiner's Answer, it is asserted that the size of Pauley et al. would serve the dual purposes of preventing penetration of aqueous coating composition into the paper, and preventing bonding of the coated glass fiber with the paper tube, similar to the silicone release coating of McClellan, since the size "resists staining, which is a type of bonding." It is unclear whether this is merely the Examiner's opinion, or whether the assertion is that a person of ordinary skill in the art would have understood that Pauley's size would serve the same purpose as McClellan's silicone coating. If the former is the case, then the assertion is of no relevance, since what matters is what a person of skill in the art would have learned from Pauley et al.

However, it is presumed that the assertion is that a person of skill in the art would have understood that a size that resists staining would also serve as a release means to prevent a glass fiber from adhering to a forming tube. Applicant submits that Pauley's disclosure does not support such an interpretation, and there is no other evidence of record that it was known that a size such as Pauley's could serve as a release material in the specific context of glass fiber forming tubes. Pauley itself has nothing to do with glass fiber forming tubes. Pauley merely indicates that the sizing agents he discloses "are also contemplated to be useful for imparting stain resistance to aqueous fluids" (col. 6, lines 54-56). However, this appears to be applicable mainly to fabrics for clothing and the like (see col. 6, lines 40-56).

Applicant respectfully submits that it is too great a stretch to assert that Pauley's teaching of stain resistance properties of his sizing would have suggested to a person concerned with glass fiber forming tubes that the sizing could be used to replace McClellan's silicone release coating. It is submitted that no such conclusion would have been drawn by a person of ordinary skill in the art.

There is no evidentiary support for the assertion in the Examiner's Answer (last sentence on page 6) that "use of the size of Pauley et al. as an agent to resist water but still allow vapor permeability, instead of a silicone release coating that blocks both, would not destroy the function of release of the glass fiber from the paper tube of McClellan." No prior art of record teaches that a silicone release coating could be omitted by sizing the paper of McClellan's forming tube.

Finally, on page 7 of the Examiner's Answer, it is asserted that because Von Hoessle teaches a usage of a tube wound with glass fiber in which the fiber is never completely unwound from the tube, one of ordinary skill in the art would not be concerned with the degree of release or absence of a silicone release coating. Such reasoning is faulty because Von Hoessle does not relate to a "glass fiber forming tube" as claimed and as disclosed by McClellan. As well known in the art of glass fiber forming tubes, such forming tubes must be collapsible so they can be withdrawn from a glass fiber cake (McClellan, col. 1, lines 46-50; col. 2, lines 41-46). Accordingly, it is a requirement of glass fiber forming tubes that the glass fiber can be detached easily from the forming tube. The fact that Von Hoessle does not need to detach the fiber is irrelevant, since Von Hoessle does not even relate to a glass forming tube.

CONCLUSION

Based on the foregoing remarks and those in the Appeal Brief previously filed, Applicant respectively submits that the rejection of Claim 5 is improper and should be reversed.

Respectfully submitted,

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